

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS
(Jointly Administered)

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Debtors.¹

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3284-LTS

PUERTO RICO SALES TAX FINANCING
CORPORATION (COFINA),

Debtor.

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ORDER REGARDING PROCEDURES FOR ATTENDANCE, PARTICIPATION
AND OBSERVATION OF JANUARY 16, 2019 HEARING REGARDING
(1) THE 9019 SETTLEMENT APPROVAL MOTION, (2) COFINA PLAN OF
ADJUSTMENT CONFIRMATION MOTION, AND (3) DISPUTE REGARDING SECTION 19.5 OF PLAN

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

The Court will hear oral argument (the “Hearing”) in connection with the (1) *Commonwealth of Puerto Rico’s Motion Pursuant to Bankruptcy Rule 9019 for Order Approving Settlement Between Commonwealth of Puerto Rico and Puerto Rico Sales Tax Financing Corporation* (Docket Entry No. 4067 in Case No. 17-3283, the “9019 Motion”), (2) *Second Amended Title III Plan of Adjustment of Puerto Rico Sales Tax Financing Corporation* (Docket Entry No. 380 in Case No. 17-3284, and as may be further amended, the “Proposed Plan”) and (3) dispute regarding obligations in connection with Section 19.5 of the COFINA Plan of Adjustment, as provided for in the procedural order entered at Docket Entry No. 4518 in Case No. 17-3283 (the “19.5 Dispute,” and together with the 9019 Motion and the Proposed Plan, the “Hearing Matters”), on **January 16, 2019 at 9:30 a.m. (Atlantic Standard Time)** in Courtroom 3 of the United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, San Juan, Puerto Rico 00918-1767, and by video teleconference in Courtroom 17C of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY 10007. The Hearing will be conducted on January 16, 2019, from 9:30 a.m. to 12:00 p.m., resume if necessary from 1:00 p.m. to 5:00 p.m., and continue if necessary on January 17, 2019, from 9:30 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m.

Judge Swain will be present in the San Juan courtroom and video-teleconferencing facilities will be available in the New York courtroom. Counsel who intend to speak at the Hearing may attend the proceedings in the San Juan courtroom or the New York courtroom. **Counsel who intend to speak at the Hearing must file an Informative Motion** stating the names of all attending counsel and identifying the party for which they intend to appear, the Hearing Matters in connection with which they intend to speak, and the location (New York or San Juan) at which they intend to appear, **no later than January 11, 2019, at 5:00 p.m. (Atlantic Standard Time)**.

The Court will review all declarations that have been submitted in either support of or opposition to the Hearing Matters in advance of the Hearing. All such declarations are deemed submitted as direct testimony. Any proponent of or timely objector to any of the Hearing Matters who contends there is a disputed material factual issue and wishes to cross-examine any declarant or to present live rebuttal testimony at the Hearing must file an Informative Motion identifying the relevant Hearing Matter, the witness or witnesses, the factual issue(s) to which the proposed cross-examination or testimony relates, the subject matter of the testimony and its relevance to the factual issue(s), and the time requested for such examination or testimony, **no later than January 10, 2019, at 12:00 p.m. (Atlantic Standard Time)**. **All witnesses, and counsel conducting examination(s), must be present in the San Juan courtroom.**

Any proponent of or timely objector to any Hearing Matter who wishes to proffer additional exhibits relating to cross-examination or rebuttal testimony is hereby directed to mark, designate, and file such evidentiary materials on CM/ECF **no later than January 14, 2019 at 12:00 p.m. (Atlantic Standard Time)**. The proponent or timely objector must also deliver two (2) bound copies and one (1) electronic copy of such materials on a DVD-R or CD to the Puerto

Rico Chambers of the Honorable Laura Taylor Swain by **Monday, January 14, 2018 at 5:00 p.m. (Atlantic Standard Time)** at the following address:

United States District Court for the District of Puerto Rico
150 Carlos Chardón Street
Federal Building, Office 150
San Juan, P.R. 00918-1767

Other attorneys, members of the press, and the general public may attend and observe the Hearing in either the New York or San Juan courtroom. There will also be a live feed of the proceedings for members of the press available in the press room in the New York courthouse and in a designated space in the San Juan courthouse. Attorneys who have entered an appearance in the Title III proceedings may register to listen in on the proceedings by telephone. Such attorneys must register with CourtSolutions at www.court-solutions.com **no later than January 11, 2019 at 5:00 p.m. (Atlantic Standard Time)** and pay the fee established by CourtSolutions. No recording or retransmission of the Hearing is permitted by any person, including, but not limited to, the parties or the press. Failure to comply may result in sanctions, including suspension of press privileges for members of the press in either court.

SO ORDERED.

Dated: January 8, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge